IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2884 OF 2005

Pramod Kumar Bhuchar and Anr. ..Applicants

Vs.

Manda Sandesh Panchmatta
and Ors. ..Respondents

....

Mr.Sidhartha Karpe Adv. for Applicants
Mr.S.S.Tatkare A.P.P. for State

....

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : OCTOBER 19, 2006

P.C.

1. Heard the learned advocate for the applicants-original accused nos.6 and 10.

2. The applicants are facing prosecution in Criminal Case No.614/S/2002 which is pending before the Metropolitan Magistrate, 40th Court, Girgaum Mumbai. In the said case, process has been issued against the applicants under section 138 of Negotiable Instruments Act. The applicants are seeking quashing of the process issued against them

by the learned Metropolitan Magistrate.

3. In view of the decision of this Court in the case of **V.K.Jain and others Vs. Pratap P.Padode reported in 2005(3) Mh.L.J.778,** it would be appropriate that the applicants prefer revision against the order of the Magistrate issuing process against them before the concerned Sessions Court. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision application would be filed within a period of five weeks from today. On the necessary revision being filed by the applicants, the learned Sessions Judge after hearing necessary parties, shall dispose it of on merits. The proceedings before the learned Magistrate are stayed for a period of five weeks from today.

4. Application is disposed of.

[SMT.V.K.TAHILRAMANI,J.]